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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/081,393	02/20/2002	Larry E. Morrison	01886-071001/ V0079	1580

7590 12/09/2004
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EXAMINER

SAKELARIS, SALLY A

ART UNIT PAPER NUMBER

1634

DATE MAILED: 12/09/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Response to Amendment

The amendment to the claims filed on September 23, 2004 does not comply with the requirements for filing claims under the new revised format. This format requires that Applicants account for the status of all of the claims:

Revised Amendment Practice 37 CFR 1.121

Strict compliance is mandatory - all amendments filed on or after July 30, 2003 must comply with the revised 37 CFR 1.121, except amendments to the specification and claims filed in reissue applications and reexamination proceedings.

A sample amendment document and Q's and A's are posted on the USPTO's website at <http://www.uspto.gov/web/offices/pac/dapp/opla/preognotice/moreinfoamdtprac.htm>

Major Changes from Notice of Proposed Rule Making :

Only seven status identifiers are permissible instead of eleven.

The text of withdrawn claims must be included in the listing of the claims.

Comments on the NPR suggested supplying text of withdrawn claims for rejoinder purposes.

Applicants may need to amend withdrawn claims to include limitations added to elected claims to permit rejoinder.

Drawing changes may be shown by annotated drawings.

Permissible markings only include underlining, strikethrough, and double brackets [[]].

Note: changes from NPR are highlighted in bold on the next few slides.

Highlights:

- 1. Each section of an amendment paper must start on a separate sheet.**

For example: each of the following sections must start on a separate sheet: Introductory comments, Amendments to the Specification, Amendments to the Claims, Amendments to Drawings, and Remarks.

2. Submit only one version of the replacement paragraph or section, or currently amended claims, with markings (i.e., strikethrough, double brackets [[]], or underlining), to show the changes relative to immediate prior version.

The requirement to provide a separate, clean version has been eliminated, except when applicant submits a substitute specification.

3. When there is any amendment to a claim, a claim listing of all claims ever presented in the case must be supplied in ascending numerical order.

An example of a claim listing is as follows:

Claims 1-5 (canceled)

Claim 6 (previously presented) A bucket with a handle.

Claim 7 (withdrawn) A handle comprising an elongated wire.

Claim 8 (withdrawn) The handle of claim 7[[6]] further comprising a plastic grip.

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Claim 9 (currently amended) A bucket with a ~~green~~ blue handle.
Claim 10 (original) The bucket of claim 9 wherein the handle is made of wood.
Claim 11 (canceled)
Claim 12 (not entered)
Claim 13 (new) A bucket with plastic sides and bottom.

In particular, the reply filed on 9/23/2004 is not fully responsive to the prior Office Action because the amendment does not comply with the new format in that the complete listing of claims does not start on a separate sheet. See 37 CFR 1.121. Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sally A Sakelaris whose telephone number is 571-272-0748. The examiner can normally be reached on M-Fri, 9-6:30 1st Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gary Jones can be reached on 571-272-0745. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Sally Sakelaris 12/8/2004